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Paper No. 39
Entered October 5, 2005

UNITED STATES PATENT AND TRADEMARK OFFICE

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

FAXED

KENTARO MORI, TAKAHIDE TANAKA,
AKIRA NAKAGAWA and IWAO KOJIMA
Junior Party
(U.S. Patent No. 6,547,741)¹

OCT 5 - 2005
**PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES**

v.

DIRK FREUND, FRED SCHNAK
MARTIN GIERSIEPEN, FRANK KRESSMANN
and BRIGITTE HARTTMANN
Senior Party
(Application 09/582,471)²

Patent Interference No. 105,287

Before LEE, MOORE and POTEATE, Administrative Patent Judges.

LEE, Administrative Patent Judge.

Judgment – Bd. Rule 127

¹ Based on application 09/977,383, filed October 16, 2001. Accorded the benefit of application 09/582,985, filed July 10, 2000, and PCT application PCT/JP99/00082, filed January 13, 1999. The real party in interest is Omron HealthCarte Co., Ltd., a wholly-owned subsidiary of Omron Corporation.

² Filed August 15, 2000. Accorded the benefit of PCT application PCT/EP98/08429, filed December 23, 1998. The real party in interest is The Gillette Company.

Interference No. 105,287

Mori v. Freund

All of Mori's claims corresponding to the count have been held unpatentable under 35 U.S.C. § 112, first paragraph, for lack of written description in the specification. See Decision on Freund's Motion 1 (Paper No. 38). Entry of judgment is now appropriate. It is

ORDERED that judgment is herein entered against junior party KENTARO MORI, TAKAHIDE TANAKA, AKIRA NAKAGAWA and IWAO KOJIMA;

FURTHER ORDERED that junior party KENTARO MORI, TAKAHIDE TANAKA, AKIRA NAKAGAWA and IWAO KOJIMA is not entitled to its patent claims 4, 5 and 6;

FURTHER ORDERED that if there is a settlement agreement, the parties should note the requirements of 35 U.S.C. § 135(c) and Bd. Rule 205; and

FURTHER ORDERED that a copy of this judgment be placed in the respective involved application or patent of the parties.

/ss/ Jameson Lee)	
JAMESON LEE)	
Administrative Patent Judge)	
)	
)	
/ss/ James T. Moore)	BOARD OF PATENT
JAMES T. MOORE)	APPEALS
Administrative Patent Judge)	AND
)	INTERFERENCES
)	
)	
/ss/ Linda Poteate)	
LINDA POTEATE)	
Administrative Patent Judge)	

Interference No. 105,287

Mori v. Freund

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